



Journal of the House

State of Indiana

115th General Assembly

First Regular Session

Forty-sixth Meeting Day

Wednesday Afternoon

April 18, 2007

The House convened at 1:30 p.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker read a prayer for guidance and insight (printed January 8, 2007).

The Pledge of Allegiance to the Flag was led by Representative Craig R. Fry.

The Speaker ordered the roll of the House to be called:

Austin	Klinker
Avery	Knollman
Bardon	Koch
Battles	Kuzman
Behning	L. Lawson
Bell	Lehe
Bischoff	Leonard
Borders	Lutz
Borror	Mays
Bosma	McClain
C. Brown	Micon
T. Brown	Moses
Buck	Murphy
Buell	Neese
Burton	Niezgodski
Candelaria Reardon	Noe
Cheatham	Orentlicher
Cheney	Oxley
Cherry	Pelath
Cochran	Pflum
Crawford	Pierce
Crooks	Pond
Crouch	Porter
Davis	Reske
Day	Richardson
Dembowski	Ripley
Denbo	Robertson
Dermody	Ruppel
Dickinson	Saunders
Dobis	M. Smith
Dodge	V. Smith
Duncan	Soliday
Dvorak	Stemler ☐
Eberhart	Stevenson
Elrod	Stilwell
Espich	Stutzman
Foley	Summers
Friend	Thomas
Frizzell	Thompson
Fry	Tincher
GiaQuinta	Torr
Goodin	Turner
Grubb	Tyler
Gutwein	Ulmer
E. Harris	VanHaften
T. Harris	Walorski
Herrell	Welch
Hinkle	Whetstone
Hoy	Wolkins
Kersey	Mr. Speaker

Roll Call 564: 99 present; 1 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, April 19, 2007, at 10:00 a.m.

NIEZGODSKI

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1058:

Conferees: Steele and Lewis

Advisors: Waterman and Skinner

MARY C. MENDEL

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1078:

Conferees: Kruse and Lewis

Advisors: Wyss and Errington

MARY C. MENDEL

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1092:

Conferees: Delph and Simpson

Advisors: Wyss and Lewis

MARY C. MENDEL

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1116:

Conferees: Landske and Rogers

Advisors: Errington and Altling

MARY C. MENDEL

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on

Engrossed House Bill 1173:

Conferees: Kruse and Deig

Advisors: Arnold and M. Young

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1220:

Conferees: Miller and Broden

Advisors: Landske and Simpson

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1266:

Conferees: Lubbers and Rogers

Advisors: Sipes and C. Lawson

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1274:

Conferees: Bray and Lewis

Advisors: Drozda and Tallian

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1347:

Conferees: Alting and S. Smith

Advisors: Wyss and Tallian

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1379:

Conferees: C. Lawson and Deig

Advisors: Boots and Lanane

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1386:

Conferees: Bray and Arnold

Advisors: Drozda, Steele, and Hume

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1452:

Conferees: Paul and Simpson

Advisors: S. Smith and Waltz

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1505:

Conferees: Bray and Simpson

Advisors: Paul and Lewis

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1546:

Conferees: Wyss and Arnold

Advisors: Hershman, Boots, and Deig

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1566:

Conferees: Ford and Simpson

Advisors: Waltz and Howard

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1647:

Conferees: Lubbers and Rogers

Advisors: Sipes and Alting

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1663:

Conferees: Miller and Breaux

Advisors: Rogers and Mishler

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1678:

Conferees: Miller and Simpson
Advisors: Dillon and Rogers

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1717:

Conferees: Bray and Lanane
Advisors: Waterman and Howard

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1722:

Conferees: Hershman and Hume
Advisors: Heinold and Rogers

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1731:

Conferees: C. Lawson and Lanane
Advisors: Boots and Breauux

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1738:

Conferees: Gard and Simpson
Advisors: Hershman and Hume

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1753:

Conferees: Lubbers and Broden
Advisors: Miller and Tallian

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1804:

Conferees: Landske and Broden
Advisors: C. Lawson and Deig

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1811:

Conferees: Ford and Simpson
Advisors: Lubbers and Rogers

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1821:

Conferees: Miller and Rogers
Advisors: Alting and Sipes

MARY C. MENDEL
Principal Secretary of the Senate

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 73

Representative Foley introduced House Concurrent Resolution 73:

A CONCURRENT RESOLUTION honoring the Eminence High School boys' basketball team.

Whereas, The Eminence High School boys' basketball team won an uphill battle against Lapel High School to capture its first sectional championship since 1978;

Whereas, The 68-66 victory was the third consecutive sectional game in which the Eminence Eels resorted to late-game heroics to surge to victory over their opponents;

Whereas, Each game had a different person step up to urge the team on to victory;

Whereas, The first sectional game's star was senior Justin Smith, who hit a jump shot with one second showing on the clock to beat the Indiana Deaf School 60-59;

Whereas, The second sectional game had two standouts, seniors Tyler Adkisson and Brian Whaley, who led the team to a 49-48 semifinal win over University High School;

Whereas, The championship game leaders were junior Jordon Shupe and senior Aaron Moss; and

Whereas, The members and coaches of the Eminence High School boys' basketball team displayed the spirit and energy necessary to achieve great things: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Eminence High School boys' basketball team on its sectional championship and wishes the team's members continued success both on and off the basketball court.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to all team members, Coach Matt Maschino, Principal Max Hoke, Athletic Director George Knezevich, and Superintendent Dr. Susan Phillips.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Bray.

House Concurrent Resolution 74

Representatives Hinkle and Mays introduced House

Concurrent Resolution 74:

A CONCURRENT RESOLUTION honoring N. Andrew Wagner.

Whereas, N. Andrew Wagner has dedicated most of his professional life to the children of Speedway;

Whereas, A graduate of Latin School and Marion College, Mr. Wagner began his teaching career as an English teacher at Speedway High School;

Whereas, After completing his Master's Degree at Ball State University, Mr. Wagner left Speedway to serve as a teacher, counselor, and housemaster at Culver Military Academy, a position he held for seven years;

Whereas, At the completion of his graduate work at Johns Hopkins University in Baltimore, Maryland, Mr. Wagner returned to Speedway where he served as a counselor, a director, and an assistant superintendent before becoming superintendent of schools in 1987;

Whereas, During his tenure, Speedway schools have remained the leader in student achievement in Marion County, ranking first or tied for first in all categories except one at all grade levels;

Whereas, Academic rigor and a focus on achievement are the hallmarks of Superintendent Wagner;

Whereas, He provides specific benchmarks for success and works as a partner with students, parents, teachers, and patrons to achieve them;

Whereas, Mr. Wagner's time as superintendent may be best described by the phrase "instruction before construction";

Whereas, Mr. Wagner's ability to live in the present, but prepare for the future, has helped Speedway schools maintain their high level of excellence even through hard financial times; and

Whereas, Mr. Wagner has been a dedicated servant to the children and community of Speedway, always working to maintain a high level of excellence throughout the school system: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the many contributions of N. Andrew Wagner to the Speedway School Corporation and the citizens of Speedway.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to N. Andrew Wagner.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator M. Young.

House Concurrent Resolution 75

Representatives Welch, Austin, Candelaria Reardon, Crouch, Dembowski, Dickinson, Duncan, Klinker, L. Lawson, Mays, Noe, Pond, Richardson, Summers, and Walorski introduced House Concurrent Resolution 75:

A CONCURRENT RESOLUTION recognizing Rafia Zakaria.

Whereas, Rafia Zakaria works tirelessly to improve the quality of life for women in Pakistan and South Asia;

Whereas, This improvement can occur only when the world is aware of the atrocities that befall women around the world;

Whereas, Women in Pakistan and South Asia face death through honor killing, a term used to refer to a killing whose

predominant motive is to extinguish the source of dishonor to the family by killing the person responsible;

Whereas, Between 2000 and October 2005, 1,734 women were killed in the name of honor;

Whereas, This number represents only those cases reported in the media; in reality, the number could be much larger;

Whereas, The isolation and fear of women living under such threats are compounded by the fact that many people living in Pakistan and South Asia see violence against women as acceptable and even justifiable;

Whereas, The killers are rarely prosecuted, and when the men are convicted, they traditionally receive light sentences, reinforcing the view that men can kill their female relatives with virtual immunity; and

Whereas, The practice of honor killing and other violations of women's human rights can be brought to an end only through knowledge; this knowledge will enable the world to speak out against such atrocities and to condemn them and those who bear the responsibility: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the efforts of Rafia Zakaria to promote human rights principles, gender equality, and justice for women in Pakistan and South Asia and to empower women around the world through knowledge.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Rafia Zakaria and the Asian-American Network Against Abuse of Human Rights.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Sipes.

House Concurrent Resolution 76

Representatives Ruppel, Wolkins, and Friend introduced House Concurrent Resolution 76:

A CONCURRENT RESOLUTION recognizing Avis B. Gunter on the occasion of her retirement.

Whereas, Avis B. Gunter, a lifelong resident of Kosciusko County, has dedicated countless hours and years of service to the citizens of Kosciusko County;

Whereas, Avis B. Gunter will retire at the end of 2007 after having served Kosciusko County for more than 43 years;

Whereas, Avis B. Gunter served as the Kosciusko County Assessor for 31 years and became known throughout the county for her dedication to the county;

Whereas, Avis B. Gunter always strove to be totally prepared for her duties as assessor, attaining her Level I and Level II certification long before it was a requirement;

Whereas, In addition to her duties as assessor, Avis B. Gunter served as president of the Indiana County Assessors Association and as a Kosciusko County Commissioner for 12 years;

Whereas, Avis B. Gunter has served on the Drainage Board and the Solid Waste Board;

Whereas, Avis B. Gunter has been active in the Kosciusko County Foundation, the Kosciusko County Historical Society, the Kosciusko Community Hospital Board, Home Health Care, United Way, the Kosciusko County Extension Homemakers, the Warsaw Community Development Corporation, and the Melloairs singing group;

Whereas, A dedicated member of the Claypool United

Methodist Church, Avis B. Gunter plays piano in church and has dedicated many hours to the Friday night meal program and the women's organization; and

Whereas, Avis B. Gunter believes that government employees should give their all to ensure that the taxpayers' work is completed in a timely and accurate manner, and the citizens of Kosciusko County will miss her greatly: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly expresses its gratitude to Avis B. Gunter for her years of dedicated service on the occasion of her retirement and to wish her continued success and happiness in the future.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Avis B. Gunter and her family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Mishler, Weatherwax, Dillon, and Meeks.

House Resolution 49

Representative Duncan introduced House Resolution 49:

A HOUSE RESOLUTION recognizing the First Christian Church, Greensburg, Indiana.

Whereas, The First Christian Church has been serving the faithful for 175 years;

Whereas, The First Christian Church stands as a symbol of the Greensburg community and represents its religious foundations;

Whereas, The First Christian Church has helped members of the congregation in time of need, offered solace in time of distress, and joined in celebration during time of joy;

Whereas, The First Christian Church stands as a beacon of hope to those in need even if they are not members of the congregation; and

Whereas, Churches play an important part in the lives of Hoosiers: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives acknowledges the value of the church in the community and the many contributions made by the First Christian Church on the 175th anniversary of its creation.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the pastor of the First Christian Church.

The resolution was read a first time and adopted by voice vote.

House Resolution 50

Representative Davis introduced House Resolution 50:

A HOUSE RESOLUTION recognizing Mudokwan Martial Arts, USA.

Whereas, Grand Master Jong Woo Kim created Mudokwan Martial Arts, USA;

Whereas, The school is dedicated to the success of the students and is based on developing a good personality that is based on respect, modesty, strength, and harmony and developing a mutual respect for each other;

Whereas, Grand Master Jong Woo Kim believes and teaches

his students that "if you respect someone, it is hard to disrespect him or her by being insulting";

Whereas, More than 600 students have earned black belts at Mudokwan Martial Arts, USA, a feat that requires several years of dedicated practice; and

Whereas, Mudokwan Martial Arts, USA, is dedicated to bringing focus to the lives of students and to instilling respect for others: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates Mudokwan Martial Arts, USA, on the 40th anniversary of its establishment and thanks the school for its dedication to the citizens of the Muncie community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Grand Master Jong Woo Kim of Mudokwan Martial Arts, USA.

The resolution was read a first time and adopted by voice vote.

House Resolution 51

Representative T. Harris introduced House Resolution 51:

A HOUSE RESOLUTION honoring Amy Coleman.

Whereas, Amy Coleman is the winner of the National History Day Essay Award;

Whereas, The National History Day contest is open to all students in grades 6 through 12 and has a junior and senior division;

Whereas, Amy Coleman will represent Indiana as a student ambassador during the Jamestown Live webcast commemorating the 1607 founding of Jamestown, Virginia;

Whereas, Amy Coleman is an advanced placement student in U.S. History at Marion High School; and

Whereas, History links our past, present, and future together so that we all may continue to learn history's valuable lessons: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates Amy Coleman on receiving the National History Day Essay Award and wishes her continued success in all her future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Amy Coleman and her family, principal Kyle D. Kirby, and superintendent Dr. Andrew M. Nixon.

The resolution was read a first time and adopted by voice vote.

House Resolution 52

Representative T. Brown introduced House Resolution 52:

A HOUSE RESOLUTION honoring Dr. Mary Grace Ludwig.

Whereas, Dr. Mary Grace Ludwig has dedicated her life to improving the lives and health of the people of Crawfordsville and the state of Indiana;

Whereas, Dr. Mary Ludwig, born in Harrison, New York in 1926, received a bachelor's degree from the College of New Rochelle in 1948 and a medical doctorate from the University of Virginia in 1958;

Whereas, After serving her community in Crawfordsville through private practice, ending only due to her refusal to charge those desperate for her service, Dr. Mary Ludwig helped

establish the Christian Nursing Service to reach out to those with immediate personal and family health concerns;

Whereas, With Dr. Mary Ludwig's help, the Christian Nursing Service runs with an estimated annual budget of \$140,000 after starting with \$10 in 1968;

Whereas, For 21 years, Dr. Mary Ludwig has volunteered her services as a pediatrician for the Well Baby Clinic, which she founded and which is sponsored by the Christian Nursing Service;

Whereas, Dr. Mary Ludwig has received numerous awards in recognition of her continued service to her fellow man, including the Montgomery County Citizen of the Year award for her tireless dedication to improving the lives of those in her community; in addition, the Rotary International Foundation named Dr. Mary Ludwig a Paul Harris Fellow for her continued devotion, and the American Institute for Public Service awarded Dr. Mary Ludwig the prestigious Jefferson Award for her contributions to community service;

Whereas, Dr. Mary Ludwig also received an honorary doctor of humane letters degree from Wabash College;

Whereas, Active in the community, Dr. Mary Ludwig has served the Youth Services Bureau, the Local Crisis Shelter as a member of the staff, and the Littleville Nursery School as a consultant, as well as other groups and organizations in an effort to improve living standards in Crawfordsville and around the state of Indiana;

Whereas, Dr. Mary Ludwig devotes her time to many organizations, including the P.E.O. (an international philanthropic, educational organization that promotes education for women), Delta Kappa Gamma, and the Athenian literary organization of Crawfordsville; and

Whereas, Dr. Mary Ludwig has wholeheartedly, and without any selfish reservations, devoted her life and her life's work to improving the lives around her and to making Indiana a better place to live: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives acknowledges the selfless contributions of Dr. Mary Ludwig to the residents of Crawfordsville and the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Dr. Mary Ludwig.

The resolution was read a first time and adopted by voice vote.

House Resolution 53

Representative Kuzman introduced House Resolution 53:

A HOUSE RESOLUTION honoring Officer Chuck Noonan.

Whereas, Crown Point Police Officer Chuck Noonan was named Northwest Indiana's Officer of the Year;

Whereas, Officer Chuck Noonan's quick reaction time saved the life of a 2-week-old infant;

Whereas, Officer Noonan reacted immediately upon arriving at the scene, administering the Heimlich maneuver to the choking infant;

Whereas, Officer Noonan's training in updated cardiopulmonary resuscitation, first aid, and the use of an automatic electronic defibrillator helped him to save this young life; and

Whereas, Officer Chuck Noonan is a man of integrity and honor, working to make his state and his community a better place for everyone who lives there: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives thanks Officer Chuck Noonan for his courageous actions that saved the life of an infant and recognizes his dedication and service to his city and state.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Officer Chuck Noonan and Crown Point Mayor Dan Klein.

The resolution was read a first time and adopted by voice vote.

House Resolution 54

Representative Grubb introduced House Resolution 54:

A HOUSE RESOLUTION honoring Benji Brink, Shawn Haworth, and David Bailey.

Whereas, On January 17, 2007, Benji Brink, Shawn Haworth, and David Bailey, without concern for their own safety, rescued 89-year-old Alberta Wimssett;

Whereas, Alberta Wimssett had driven her car into an area of high water and became stranded;

Whereas, When the members of the rescue team arrived on the scene, they quickly realized that they would need a boat for the rescue;

Whereas, Because the Cayuga Volunteer Fire Department does not own a boat, Benji Brink quickly retrieved his own boat;

Whereas, Upon arriving at the car, Shawn Haworth got into the back seat of the car and unlocked the doors;

Whereas, Once the doors were open, Benji Brink, Shawn Haworth, and David Bailey helped the woman into the boat and transported her back to safety; and

Whereas, It is fitting that we recognize Benji Brink, Shawn Haworth, and David Bailey for their brave and heroic actions in rescuing an elderly woman: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes the bravery displayed by Benji Brink, Shawn Haworth, and David Bailey in rescuing someone in danger without regard for their own safety. These outstanding men help to ensure the safety of their community for the people who reside there.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Benji Brink, Shawn Haworth, and David Bailey and their families and Tim Wilson, chief of the Cayuga Volunteer Fire Department.

The resolution was read a first time and adopted by voice vote.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1046 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

DICKINSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1410 and that the Speaker

appoint a committee to confer with a like committee from the Senate and report back to the House.

HOY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1425 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

AUSTIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1426 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

AUSTIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1659 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

AUSTIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1503 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

ORENTLICHER

Motion prevailed.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1339.

C. BROWN

Roll Call 565: yeas 91, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1376.

MAYS

Roll Call 566: yeas 92, nays 1. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1406.

DICKINSON

Roll Call 567: yeas 95, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1633.

WOLKINS

Roll Call 568: yeas 95, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1237.

WELCH

Roll Call 569: yeas 34, nays 65. Motion rejected.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

EHB 1019	Conferees:	Summers and Duncan
	Advisors:	Klinker and Foley
EHB 1067	Conferees:	Crooks and Noe
	Advisors:	Moses, GiaQuinta, Bosma, and Buell
EHB 1348	Conferees:	Welch and Koch
	Advisors:	C. Brown, Battles, Turner, and T. Harris
EHB 1437	Conferees:	V. Smith and Foley
	Advisors:	Reske and Thomas
EHB 1457	Conferees:	Klinker and Thompson
	Advisors:	Day and Walorski
EHB 1510	Conferees:	VanHaaften and Whetstone
	Advisors:	Pelath and Bosma
EHB 1608	Conferees:	VanHaaften and Crouch
	Advisors:	Stilwell and Bell
EHB 1824	Conferees:	Pelath and Lutz
	Advisors:	Crooks, Grubb, Whetstone, and Crouch

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 44	Conferees:	L. Lawson and Foley
	Advisors:	Dvorak and Pond
ESB 49	Conferees:	Kuzman and Foley
	Advisors:	Pierce and Burton
ESB 104	Conferees:	Summers and Walorski
	Advisors:	Crawford and Stutzman
ESB 113	Conferees:	Reske and Cherry
	Advisors:	Moses and Elrod
ESB 134	Conferees:	Tyler and T. Brown
	Advisors:	Mays and Frizzell
ESB 220	Conferees:	GiaQuinta and Stutzman
	Advisors:	Austin, Niezgodski, and Dodge
ESB 232	Conferees:	Pierce and Foley
	Advisors:	Bardon and Ulmer
ESB 261	Conferees:	Dembowski and Dermody
	Advisors:	Pelath and Friend
ESB 293	Conferees:	Pierce and Richardson
	Advisors:	Oxley and Lehe
ESB 310	Conferees:	Grubb and Richardson
	Advisors:	E. Harris, Oxley, and Borders
ESB 328	Conferees:	Welch and Bell
	Advisors:	Summers, Robertson, and Noe
ESB 329	Conferees:	Welch and Bell
	Advisors:	Dembowski, Hoy, and Richardson
ESB 334	Conferees:	Moses and Walorski
	Advisors:	Reske and Neese
ESB 390	Conferees:	Bardon and Koch
	Advisors:	Summers and Elrod

ESB 412	Conferees: Micon and Walorski Advisors: E. Harris and Foley
ESB 416	Conferees: Dembowski and Saunders Advisors: Oxley, Mays, Niezgodski, Buell, and M. Smith
ESB 431	Conferees: Pflum and Friend Advisors: Goodin, Cheatham, Niezgodski, Lehe, Knollman, and Saunders
ESB 450	Conferees: Stemler and Crouch Advisors: Day and T. Brown
ESB 461	Conferees: Reske and Murphy Advisors: Crooks and Ruppel
ESB 480	Conferees: Reske and McClain Advisors: GiaQuinta, Stilwell, Avery, Buell, and Soliday
ESB 536	Conferees: Austin and Borrer Advisors: Kersey and Dermody
ESB 550	Conferees: Welch and Crouch Advisors: Grubb and Dodge

OTHER BUSINESS ON THE SPEAKER'S TABLE

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 100 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

RESOLUTIONS ON FIRST READING

House Resolution 55

Representative Mays introduced House Resolution 55:

A HOUSE RESOLUTION urging the establishment of an interim study committee on chronic kidney disease.

Whereas, Today more than 500,000 Hoosiers have a form of chronic kidney disease (CKD), thousands of whom have seriously reduced kidney functions that, if left untreated, may progress to a more severe level stage 5 or end stage renal disease (ESRD);

Whereas, In stage 5, the patient must undergo kidney dialysis several times a week or receive a kidney transplant;

Whereas, 633 people in Indiana are awaiting a kidney transplant and more than 7,000 are on dialysis, placing Indiana, per capita, 17th in the nation with patients on dialysis;

Whereas, Statistical studies indicate that in Indiana, as in the nation, African Americans and Hispanics suffer disproportionately from chronic kidney disease;

Whereas, African Americans make up about 12 percent of the nation's population but account for 33 percent of end stage kidney disease sufferers;

Whereas, ESRD is usually the result of years of chronic kidney disease caused by diabetes, high blood pressure, family history of CKD, or trauma to the kidneys;

Whereas, The treatment of chronic kidney disease, which is a major national health care expense, is projected to cost the national health care system 20 billion dollars by the year 2010 to treat more than 660,000 patients with kidney failure;

Whereas, Several commercial health plans have found that early diagnosis and effective treatment of CKD can prolong lives and delay the high costs of dialysis and/or transplantation;

Whereas, Existing cost-effective laboratory tests, calculations, and reporting can assist in the early diagnosis of chronic kidney disease;

Whereas, The National Kidney Foundation, the National Institute of Health, the National Institute of Diabetes and Digestive and Kidney Disorders, and the National Kidney Disease Education Program have worked with many health care professionals to develop the nationally recognized Kidney Disease Outcome Quality Initiative (K/DOQI) guidelines; and

Whereas, The K/DOQI guidelines emphasize early screening and diagnosis of chronic kidney disease and provide sound guidance to physicians for effective intervention: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to establish an interim study committee to study chronic kidney disease.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 56

Representative Welch introduced House Resolution 56:

A HOUSE RESOLUTION urging the establishment of an interim study committee to study the road funding distribution formula.

Whereas, The cost of maintaining our state's highway and road system is increasing rapidly;

Whereas, This funding responsibility places a great burden on all of Indiana's governmental entities;

Whereas, The cost of highway and street construction materials grew at an annual rate of 5.1 percent in February, 2007, as compared to an increase in inflation of 2.4 percent; and

Whereas, Further study of the system used to distribute road funds is necessary: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to establish an interim study committee to study the road funding distribution formula.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 57

Representative Welch introduced House Resolution 57:

A HOUSE RESOLUTION urging the establishment of an interim study committee on food establishment inspection.

Whereas, Consumers have a right to know that they are eating food that is being prepared in a sanitary facility and is safe for their consumption;

Whereas, Food establishment inspections should be made at varying times to ensure that the food service rules and regulations are being followed when food is being prepped and served; and

Whereas, Proper inspections of food establishments will help to protect the health and well-being of all Hoosiers: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to establish an interim study committee to study food establishment

inspection.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 58

Representative Duncan introduced House Resolution 58:

A HOUSE RESOLUTION urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate.

Whereas, The government of Turkey refuses to recognize the rights and religious freedoms of the Ecumenical Patriarchate, the head of the Greek Orthodox Christian Church, which is a minority religion in Turkey;

Whereas, The government of Turkey has confiscated most of the properties of the Ecumenical Patriarchate and has placed a 42% retroactive tax on the Balukli Hospital, which is run by the Ecumenical Patriarchate;

Whereas, The government of Turkey has limited the candidates available to the Holy Synod for selection as the Ecumenical Patriarch to Turkish nationals and has reneged on its agreement to reopen the Theological School at Halki, thus impeding training for the clergy;

Whereas, The Orthodox Theological School of Halki is an educational institution for Orthodox Christianity in Turkey, and it was closed in 1971 by Turkish authorities under a law requiring that higher education in religion and minority training be controlled by the state;

Whereas, The United States Congress passed a resolution expressing that the Orthodox Theological School of Halki in the Republic of Turkey must be reopened in order to promote religious freedom;

Whereas, Turkey should restore Hagia Sophia, which has been turned into a museum, to its original purpose as a church;

Whereas, The European Union, a group of nations with a common goal of promoting peace and the well-being of its peoples, began accession negotiations with Turkey on October 3, 2005;

Whereas, The European Union defined membership criteria for accession to the European Union at the Copenhagen European Council in 1993 that obligate candidate countries to have achieved certain levels of reform, including stability of institutions guaranteeing democracy, adherence to the rule of law, and respect for the protection of minorities and human rights;

Whereas, Under the terms of the draft European Union Constitution, current and prospective member nations should have the goal of eliminating discrimination based on any ground, such as sex, race, color, ethnic or social origin, genetic features, language, religion or belief, political or any opinion, national minority membership, property, birth, disability, age, or sexual orientation; and

Whereas, Turkey's current treatment of the Ecumenical Patriarchate is inconsistent with the membership conditions and goals of the European Union: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives urges Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate and urges the European Union to deny Turkey membership in the European Union until Turkey changes its policies regarding the Ecumenical Patriarchate.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Indiana Congressional delegation.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Concurrent Resolution 77

Representatives Friend, Turner, and T. Harris introduced House Concurrent Resolution 77:

A CONCURRENT RESOLUTION urging the Indiana department of transportation to conduct a study on the feasibility of extending State Road 19.

Whereas, An excellent system of roads is of tremendous importance to the economic well-being of any community; and

Whereas, With the increased commercial and industrial development that has occurred in recent years, extension of the highway infrastructure will be needed to support continued growth: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly urges the Indiana department of transportation to conduct a study on the feasibility of extending State Road 19.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the commissioner of the Indiana department of transportation, the Miami County Economic Development Authority, Grant County Economic Growth Council, and KHDC-Kokomo/Howard County Development Corporation.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

Senate Concurrent Resolution 89

The Speaker handed down Senate Concurrent Resolution 89, sponsored by Representative Cochran:

A CONCURRENT RESOLUTION memorializing public servant and educator Bill Chilton.

Whereas, Bill Chilton dedicated his life to educating the youth of Indiana in over fifty years as a teacher and administrator;

Whereas, After accepting his initial teaching job in New Albany, Mr. Chilton first enlisted in the military and served honorably;

Whereas, Mr. Chilton, upon returning home, began teaching elementary school and, within ten years, was promoted to the principal for the new Slate Run Elementary School;

Whereas, During Mr. Chilton's fourteen years as a teacher and principal at Slate Run, he was instrumental in the development of new instructional programs and the fostering of an active PTA;

Whereas, Mr. Chilton concluded his career with a fifteen year term as principal of Mt. Tabor Elementary School making that school extremely well-regarded for the creativity of its programing and commitment to students with special needs;

Whereas, Mr. Chilton's dedication to the education of young Hoosiers was such that he often taught summer school and was a major influence in the development the principal certification curriculum at IU-Southeast, where he taught these and other college courses;

Whereas, Mr. Chilton served as an active member and then president of the Indiana Association of Elementary School Principals; and

Whereas, Mr. Chilton was active in his church, with the Salvation Army, Develop New Albany, CASA, and the Public Library: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. The Indiana State Senate hereby memorializes public servant and educator Bill Chilton.

SECTION 2. The Secretary of the Senate is directed to transmit a copy of this resolution to Lisa Holm.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 91

The Speaker handed down Senate Concurrent Resolution 91, sponsored by Representatives Buell and Orentlicher:

A CONCURRENT RESOLUTION to mark the centennial of Indiana's 1907 eugenical sterilization law and to express the regret of the Senate and House of Representatives of the 115th Indiana General Assembly for Indiana's experience with eugenics.

Whereas, On April 27, 1907, Indiana enacted our nation's first eugenical sterilization law, which mandated the sterilization of persons who were physically or developmentally disabled, mentally ill, or who had committed crimes;

Whereas, The goal of the now-discredited eugenics movement was to provide a simple solution to the complex issues of physical disorders, mental illness, developmental disabilities, and changing social conditions by eliminating what the movement's supporters considered to be hereditary flaws through selective reproduction;

Whereas, In the 1921 case of Smith v. Williams, the Indiana Supreme Court declared the state's 1907 law unconstitutional;

Whereas, In a landmark 1927 decision, the United States Supreme Court upheld Virginia's involuntary sterilization statute in an opinion by Justice Oliver Wendell Holmes;

Whereas, Following the U.S. Supreme Court precedent, Indiana enacted a new sterilization law in 1927 authorizing the compulsory sterilization of persons living in a state institution;

Whereas, Indiana involuntarily sterilized some 2,500 people, while more than 65,000 people were sterilized under similar laws in 30 other states during the same period;

Whereas, Eugenics legislation devalued the sanctity of human life, placed claims of scientific benefit over human dignity, and denied the inalienable rights recognized by our Founding Fathers;

Whereas, Eugenics legislation targeted the most vulnerable among us, including the poor and racial minorities, wrongly dehumanizing them under the authority of law and for the claimed purpose of public health and the good of the people;

Whereas, In the past five years, several other states, including Virginia, Oregon, North Carolina, and California, have publicly repudiated their involvement in the eugenics movement; and

Whereas, 2007 marks the centennial of Indiana's eugenical sterilization law, the first such law in the United States: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly hereby expresses its regret over Indiana's role in the eugenics movement in this country and the injustices done under eugenic laws.

SECTION 2. That the General Assembly urges the citizens of Indiana to become familiar with the history of the eugenics movement in the belief that a more educated and enlightened population will repudiate the many laws passed in the name of eugenics and reject any such laws in the future.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

Senate Concurrent Resolution 100

The Speaker handed down Senate Concurrent Resolution 100, sponsored by Representative Austin:

A CONCURRENT RESOLUTION to honor the Indianapolis Symphony Orchestra and thank the musicians and staff for their outstanding service to our community, especially their outreach to our schools and students.

Whereas, The Indianapolis Symphony Orchestra is a full-time, professional orchestra that performs 200 concerts a year for more than 350,000 people. It is the largest performing arts organization in the state of Indiana, and one of only eighteen year-round orchestras in the nation;

Whereas, The mission of the Indianapolis Symphony Orchestra is to advance the enjoyment and appreciation of symphonic music through performances at the highest artistic level and conduct innovative programs that challenge, educate, enrich, and entertain patrons of all ages;

Whereas, The Indianapolis Symphony Orchestra's Arts Everyday program won the Mayor's Award for Excellence in Education. When Mayor Peterson presented the award at Flanner House Elementary School, the Indianapolis Symphony Orchestra's percussion ensemble performed, making a positive impact for music education in our public schools;

Whereas, When Indianapolis Public School #21 was due to close at the end of the year, the symphony and the Theatre of Inclusion brought the Art of Transition into classrooms, demonstrating to students that through determination and their own ingenuity, they can retain their confidence and strength to embrace change when going to a new school, encountering hardship, or making new friends;

Whereas, Pre-schools through middle schools can take advantage of several types of music kits from the symphony to introduce rhythm, counting, ethnicity, and instruments to their students. In addition, teacher training sessions are offered throughout the year for teachers to renew, re-energize and interact together;

Whereas, In 2006, over 26,000 students attended the Young People's Discovery Concerts at the Hilbert Circle Theatre. In 2007, these concerts will encourage children to find heroes in their communities and in themselves; and

Whereas, The extraordinary outreach of the Indianapolis Symphony Orchestra has enriched the education of countless young Hoosiers. We thank the musicians and staff and wish them continued success in the future: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. The Indiana General Assembly honors the Indianapolis Symphony Orchestra and thanks the musicians and staff for their outstanding service to our community, especially their outreach to our schools and students.

SECTION 2. The Secretary of the Senate is directed to transmit a copy of this resolution to Indianapolis Symphony Orchestra President and CEO Simon Crookall and Vice President of Education Beth Perdue Outland.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage

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House 1133

of the resolution.

The House recessed for a performance by Sandi Patty of Anderson, a distinguished Hoosier and guest artist with the Indianapolis Symphony Orchestra.

RECESS

The House reconvened at 2:29 p.m. with the Speaker in the Chair.

Pursuant to House Rule 158, meetings of conference committees were announced.

On the motion of Representative Cochran, the House adjourned at 2:30 p.m., this eighteenth day of April, 2007, until Thursday, April 19, 2007, at 10:00 a.m.

B. PATRICK BAUER

Speaker of the House of Representatives

CLINTON McKAY

Principal Clerk of the House of Representatives